

## ***FWP COMMISSION AGENDA ITEM COVER SHEET***

**Meeting Date:** October 11, 2012

**Agenda Item:** Kootenai Valleys Conservation Easement

**Division:** Wildlife

**Action Needed:** Approval of Final Action

**Time Needed on Agenda:** 10 minutes

### **Background**

FWP proposes to purchase one or more conservation easements to protect about 28,000 acres of timberland and fish and wildlife habitat in northwestern Montana. The property is owned and managed by Stimson Lumber Company. The Trust for Public Land is our conservation partner. The appraised value of the easement is \$17.6 million. Stimson is willing to sell the easement at 28 percent below market value, or for about \$12.76 million. The bargain-sale portion, and a \$100,000 cash contribution by TPL, would provide the match to federal grants. The remaining funds would come from Forest Legacy and Habitat Conservation Plan Land Acquisition Program grants. The cost estimate changed from the Environmental Assessment and decision notice due to FWP's ability to fund the project with available HCP grants rather than BPA funding, which would have delayed the project by six months or more. Stimson agreed to the purchase price, which required more match and a larger donation.

### **Public Involvement Process & Results**

FWP conducted outreach in summer/fall 2011 that included meetings with the Lincoln County Commission and Planning Board. FWP held open houses in Libby and Troy in October 2011. The meetings were well attended; the public was generally supportive, but requested more information. On Aug. 2, FWP released the draft EA that also included the proposed conservation easement and management plan for 30-day public review. FWP met with the Lincoln County Planning Board on Aug. 21 and then held a formal public hearing in Troy on Aug. 22. FWP issued public announcements and legal ads, and mailed information to all interested parties as described in the decision notice. FWP also purchased ¼-page ads in three regional and local newspapers during the last two weeks of the comment period. FWP received a total of 18 public comments since last winter; all but one were strongly in favor of the proposed action noting that the project would help maintain working forests, public recreational access, fish and wildlife habitat, wildlife corridors, water quality, and communities. The one letter of concern suggested that the draft EA and conservation easement language inadequately addressed existing rights of third parties for mineral development. FWP responded to the concern in the decision notice and altered the language in one of the conservation easement recitals.

### **Alternatives and Analysis**

FWP considered the no-action alternative in the draft EA, under which Stimson would likely sell the lands to recoup their investment. This could lead to subdivision of the lands over time, impacting landscape continuity and other project benefits. Through this environmental review process, FWP did not find any significant negative impacts associated with proceeding with the proposed action.

### **Agency Recommendation & Rationale**

Because of the importance of conserving this landscape, the high level of public support for the project, and the availability of funding, FWP recommends that the commission approve the project as proposed in the draft EA and decision notice.

### **Proposed Motion**

I move that the commission approve the acquisition of the proposed conservation easement or easements on the approximately 28,000-acre Stimson property, as described in the Department's decision notice of Sept. 13, 2012.

